Atty. Docket No: 2797 (203-3175 PCT US) AF JFWIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Russell Heinrich

EXAMINER: Michael T. Andersen

SERIAL No.: 10/510,451

GROUP: Art Unit 3731

FILED: October 4, 2004

DATED: December 14, 2007

TITLE: **SURGICAL STAPLER AND METHOD**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL FORM**

Sir:

Transmitted herewith is an Amendment in the above-identified application.

☐ Applicant claims small entity status of this application under 37 C.F.R. 1.27☐ No additional fee is required.

The fee has been calculated as shown below:

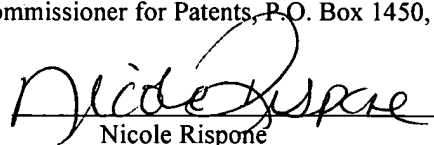
| (Col. 1)   |       | (Col. 2)                                    |   | (Col. 3)         | SMALL ENTITY |              | OR | OTHER THAN A<br>SMALL ENTITY |              |
|--|-------|---|---|------------------|--------------|--------------|----|------------------------------|--------------|
| CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT                                |       | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR |   | PRESENT<br>EXTRA | RATE         | ADDL.<br>FEE |    | RATE                         | ADDL.<br>FEE |
| TOTAL * 47   | MINUS | ** 75                                       | = | 0                | x 25=        | \$           |    | x 50=                        | \$           |
| INDEP. * 4   | MINUS | *** 6                                       | = | 0                | x 105=       | \$           | OR | x 210=                       | \$           |
|  |       |   |   |                  | x 185=       | \$           |    | x 370=                       | \$           |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS |       |   |   |                  | TOTAL        | \$ 0.00      |    | TOTAL                        | \$           |

\* If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.  
\*\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 20, write "20" in this space.  
\*\*\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 3, write "3" in this space. The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: December 14, 2007

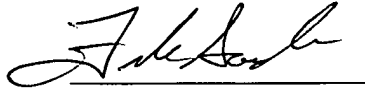
  
Nicole Risponé

☐ Please charge Deposit Account No. 21-0550 in the amount of \$ \_\_\_\_\_. Two (2) copies of this sheet are enclosed.

☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Francesco Sardone

Reg. No.: 47,918

Attorney for Applicant(s)

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FS/nr



Atty. Docket: 2797 (203-3175 PCT US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT(S):** Russell Heinrich      **EXAMINER:** Michael G. Mendoza  
**SERIAL NO.:** 10/510,451      **ART UNIT:** 3734  
**FILED:** October 4, 2004      **DATED:** December 14, 2007  
**FOR:** **SURGICAL STAPLER AND METHOD**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT "B"**

Sir:

In response to a Final Office Action mailed on October 17, 2007, please consider the following remarks:

**Amendment to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 16 of this paper.

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Dated: **December 14, 2007**

  
Nicole Rispono